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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 2100632-991124

First Inventor Feng-Qi Lai et al.

Title Phonological Awareness, Phonological Processing, and Reading Skill Testing

Express Mail Label No. EV 302277510 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-145019587 U.S. PTO  
10/7/13678

111403

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 133]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 31]
5. Oath or Declaration [Total Sheets 4]  
a. ☐ Newly executed (original or copy)  
b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Reader Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ Paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1499 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☒ Other: Transmittal of Divisional Application and Preliminary  
Amendment: Ck# 5481 for \$2419;  
Express Mail Certificate EV302277510US;

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/912,681

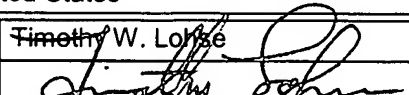
Prior application information:

Examiner Chanda L. HArt Unit: 3714

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number: 26379 OR ☐ Correspondence address below

|                   |   |                                   |                   |
|-------------------|---|-----------------------------------|-------------------|
| Name              | Timothy W. Lohse  |                                   |                   |
| Address           | Gray Cary Ware & Freidenrich LLP<br>2000 University Avenue                          |                                   |                   |
| City              | East Palo Alto  | State                             | CA                |
| Country           | United States   | Telephone                         | 650-833-2055      |
|                   |   | Fax                               | 650-833-2001      |
| Name (Print/Type) | Timothy W. Lohse  | Registration No. (Attorney/Agent) | 35,255            |
| Signature         |  | Date                              | November 14, 2003 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

 American LegalNet, Inc.  
www.USCourtForms.com

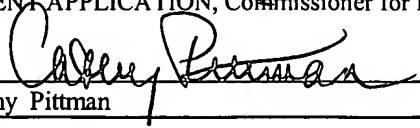
 The PTO did not receive the following  
listed item(s) Assignment cover sheet

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL NUMBER: EV 302277510 US

DATE OF DEPOSIT: November 14, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-1450.

  
Cathy Pittman

\* \* \*

CERTIFICATE OF MAILING BY EXPRESS MAIL

COMMISSIONER OF PATENTS

Mail Stop Patent Application

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is the utility patent application of:

INVENTOR(s): Feng-Qi Lai et al.

FOR: PHONOLOGICAL AWARENESS, PHONOLOGICAL  
PROCESSING AND READING SKILL TESTING

Enclosed are:

- [ 1 ] Utility Patent Application Transmittal;
- [35] Transmittal Letter with Preliminary Amendment;
- [172] Copies of original Application
  - a. Original specification, claims and abstract w/Appendix A;
  - b. Drawings;
  - c. Declaration for Patent Application;
  - d. Assignment;
- [35] Preliminary Amendment;
- [ 1 ] Transmittal of Formal Drawings;
- [29] Formal Drawing sheets;
- [ 3 ] Information Disclosure Statement with Form PTO 1449;
- [90] U.S. Patents (69); Articles (21);
- [ 1 ] Fee Transmittal FY 2004;
- [ 1 ] Check #548177 for \$2,419.00;
- [ 1 ] Certificate of Mailing By Express Mail No.: EV302277510 US (1 pg); and
- [ 1 ] Return Postcard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Feng-Qi Lai et al.

Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: November 14, 2003

Examiner: To Be Assigned

Title: PHONOLOGICAL AWARENESS, PHONOLOGICAL PROCESSING, AND  
READING SKILL TESTING

EXPRESS MAIL NO.: EV 302277510 US

Date of Deposit November 14, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Cathy Pittman

TRANSMITTAL OF DIVISIONAL APPLICATION AND PRELIMINARY AMENDMENT

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir/Madam:

Applicant hereby respectfully submits the enclosed

[X] Divisional application under **37 CFR §1.53(b)**, of prior application Serial No. 09/912,681 filed on July 24, 2001, which is a continuation of application serial no. 09/350,791 filed on July 9, 1999.

entitled: PHONOLOGICAL AWARENESS, PHONOLOGICAL PROCESSING AND  
READING SKILL TESTING

**1. Copy of Prior Application as Filed Which is Attached**

- ☒ The undersigned hereby verifies that the attached papers are a true copy of the above-identified prior application, including the oath or declaration originally filed (37 CFR 1.53(b)).

The copy of the papers of prior application as filed which are attached hereto are as follows:

44 pages of specification  
64 pages of claims  
1 page of abstract  
24 pages of Appendix A  
31 sheet(s) of drawings  
4 pages of Declaration and power of attorney;  
4 pages of Assignment ;

**2. Amendments**

- ☒ Cancel in this application original claims 1-94, 112, 159, 206, 254, 301 and 332-481 of the prior application before calculating the filing fee.  
☒ A preliminary amendment is enclosed.

**3. Inventorship Statement**

With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. 120, the inventor(s) in this application are:

- ☒ the same;  
☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted;  
☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is being filed herewith.

**4. Assignment**

- ☒ The prior application is assigned of record to Cognitive Concepts, Inc.  
A copy of the recorded assignment is enclosed.

**5. Fee Payment Being Made At This Time**

- ☒ Check No. 548177 in the amount of \$2,419.00 is enclosed.

**6. Authorization To Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge any underpayments or debit any overpayments which may be required by this paper and during the entire pendency of the application to Account No. 07-1896:

**7. Power of Attorney**

☒ The power of attorney in the prior application is to

☐ The following names:

☒ All names associated with Customer Number:

26379

Gray Cary Ware & Freidenrich LLP  
2000 University Avenue  
East Palo Alto, CA 94303

☒ All future correspondence should be addressed to:

Timothy W. Lohse  
GRAY CARY WARE & FREIDENRICH LLP  
2000 University Avenue  
East Palo Alto, CA 94303

**8. Abandonment of Prior Application (if applicable)**

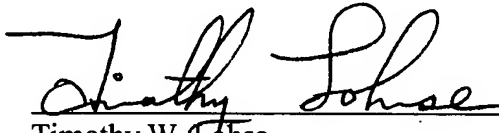
☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

**9. Formal Drawings**

☒ At this time, Applicant is filing the formal drawings for this continuation application under separate cover.

Respectfully submitted,

Dated: November 14, 2003

  
\_\_\_\_\_  
Timothy W. Lohse  
Reg. No.: 35,255  
Attorney for Assignee

GRAY CARY WARE & FREIDENRICH LLP  
2000 University Avenue  
East Palo Alto, CA 94303  
Telephone: (650) 833-2055  
Facsimile: (650) 833-2001

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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

**Complete if Known**

|                      |                    |
|----------------------|--------------------|
| Application Number   | To Be Assigned     |
| Filing Date          | November 14, 2003  |
| First Named Inventor | Feng-Qi Lai et al. |
| Examiner Name        | To Be Assigned     |
| Art Unit             | To Be Assigned     |
| Attorney Docket No.  | 2100632-991124     |

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2,419.00)

**METHOD OF PAYMENT** (check all that apply)
☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

07-1896

Gray Cary Ware &amp; Freidenrich LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity      | Small Entity  | Fee Description        | Fee Paid |
|-------------------|---------------|------------------------|----------|
| Fee Code (\$)     | Fee Code (\$) |                        |          |
| 1001 770          | 2001 385      | Utility filing fee     | 385      |
| 1002 340          | 2002 170      | Design filing fee      |          |
| 1003 530          | 2003 265      | Plant filing fee       |          |
| 1004 770          | 2004 385      | Reissue filing fee     |          |
| 1005 160          | 2005 80       | Provisional filing fee |          |
| SUBTOTAL (1) (\$) |               |                        | 385.00   |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims       | Extra Claims | Fee below | Fee Paid |
|--------------------|--------------|-----------|----------|
| 232                | -20** = 212  | X 9 =     | 1908     |
| 5                  | -3** = 2     | X 43 =    | 86       |
| Multiple Dependent |              |           |          |

| Large Entity |          | Small Entity |          | <u>Fee Description</u>                                     |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) |          |              |          | (\$) 1994.00   |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code (\$)       | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------------|---------------|--|----------|
| 1051 130            | 2051 65       | Surcharge - late filing fee or oath  |          |
| 1052 50             | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130            | 1053 130      | Non-English specification  |          |
| 1812 2,520          | 1812 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*           | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*         | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110            | 2251 55       | Extension for reply within first month                                     |          |
| 1252 420            | 2252 210      | Extension for reply within second month                                    |          |
| 1253 950            | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480          | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010          | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330            | 2401 165      | Notice of Appeal   |          |
| 1402 330            | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290            | 2403 145      | Request for oral hearing   |          |
| 1451 1,510          | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110            | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,330          | 2453 665      | Petition to revive - unintentional   |          |
| 1501 1,330          | 2501 665      | Utility issue fee (or reissue)   |          |
| 1502 480            | 2502 240      | Design issue fee   |          |
| 1503 640            | 2503 320      | Plant issue fee  |          |
| 1460 130            | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50             | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180            | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40             | 8021 40       | Recording each patent assignment per property (times number of properties) | 40       |
| 1809 770            |               |  |          |
|                     | 2809 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770            | 2810 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770            | 2801 385      | Request for Continued Examination (RCE)                                    |          |
| 1802 900            | 1802 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |               |  |          |
| SUBTOTAL (3) (\$)   |               |  | 40.00    |

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

(Complete if applicable)

|                   |   |                                   |                   |           |              |
|-------------------|---|-----------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | Timothy W. Lohse  | Registration No. (Attorney/Agent) | 35,255            | Telephone | 650-833-2055 |
| Signature         |  | Date                              | November 14, 2003 |           |              |

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

American LegalNet, Inc.  
www.USCourtForms.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Feng-Qi Lai; Janet Wasowicz; Andrew Morrison

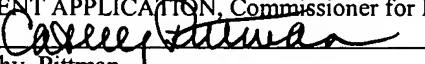
Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: November 14, 2003

Examiner: To Be Assigned

Title: PHONOLOGICAL AWARENESS, PHONOLOGICAL PROCESSING, AND  
READING SKILL TESTING

|  |                                    |
|--|------------------------------------|
| EXPRESS MAIL NUMBER: EV 302277510 US   | DATE OF DEPOSIT: November 14, 2003 |
| I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-1450. |                                    |
| <br>Cathy Pittman   |                                    |

\* \* \*

TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents

**MAIL STOP PATENT APPLICATION**

P.O. Box 1450, Alexandria, VA 22313-1450

Dear Sir:

Enclosed are twenty-nine (29) sheets of Formal Drawings to accompany the Divisional Application filed herewith.


Please address all future communications regarding this application to:

Timothy W. Lohse  
GRAY CARY WARE & FREIDENRICH LLP  
2000 University Avenue  
East Palo Alto, CA 94303  
(650)833-2055 (Telephone)  
(650)833-2001 (Facsimile)

Dated November 14, 2003

GRAY CARY WARE & FREIDENRICH LLP

By

  
Timothy W. Lohse, Reg. No. 35,255

GRAY CARY WARE & FREIDENRICH  
2000 University Avenue  
East Palo Alto, CA 94303  
Attorneys for Applicant